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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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04/02/2007

Alex Mashinsky

5068-7PUS

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27799

7590

04/01/2008

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EXAMINER

KUDDUS, DANIEL A

ART UNIT

PAPER NUMBER

2164

MAIL DATE

DELIVERY MODE

04/01/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. A telephone call was made to Edward Weisz on February 14, 2008 to request an oral election to the above restriction requirement, but did not result in an election being made.

Election/Restrictions

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-8, drawn to a system for exchanging newly added information over the internet, a search engine for providing additional queries based on information uploaded from other users, an indexing and counter module coupled to the information exchange for processing the received information and for providing data pertaining to the received information, classified in class 707, subclass 101.
 - II. Claims 9-21, drawn to a method for exchanging newly added information, entering and storing search queries as static queries, monitoring data at the information exchange to determine whether new uploaded data has been added to the information exchange by the information providers, determining whether any new uploaded data is responsive to the static queries, if new uploaded data is determined to match the static queries, the matching data to the users who entered the static queries, classified class 707, subclass 4.
3. The inventions of Groups I and II, are distinct inventions because they are directed to different system and methods regarding the critical limitations therein. For Group I, the critical

feature is a system for exchanging newly added information over the internet, a search engine for providing additional queries based on information uploaded from other users, an indexing and counter module coupled to the information exchange for processing the received information and for providing data pertaining to the received information. For Group II, the critical feature is, a method for exchanging newly added information, entering and storing search queries as static queries, monitoring data at the information exchange to determine whether new uploaded data has been added to the information exchange by the information providers, determining whether any new uploaded data is responsive to the static queries, if new uploaded data is determined to match the static queries, the matching data to the users who entered the static queries. The distinct critical features of each Group support the undue search burden if they were examined together. Group II has a separate utility from Group I, such as a system for exchanging newly added information over the internet. An indexing and counter module coupled to the information exchange for processing the received information and for providing data pertaining to the received information, and a method for exchanging newly added information, entering and storing search queries as static queries, determining whether any new uploaded data is responsive to the static queries, if new uploaded data is determined to match the static queries, the matching data to the users who entered the static queries (See MPEP § 806.05 (d). The Group I and II require a different field of search (e.g. searching different classes/subclasses or electronic resources or employing different search queries); and/or the prior art applicable to one Group would not likely be applicable to another Group; and/or they raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their divergent subject matter, restriction for examination purposes as indicated is proper.

4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

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Any inquiry concerning this communication or earlier communication from the examiner should be directed to Daniel A Kuddus whose telephone number is (571) 270-1722. The examiner can normally be reached on Monday to Thursday 8.00 a.m.-5.30 p.m. The examiner can also be reached on alternate Fridays from 8.00 a.m. to 4.30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or processing is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval

Art Unit: 2164

(PAIR) system. Status information for published applications may be obtained from the either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daniel/
Daniel Kuddus
Date: 03/08/08

/C. D. L./
Primary Examiner, Art Unit 2168

/Charles Rones/
Supervisory Patent Examiner, Art Unit 2164